
3b Restrictions on Exports for IV A

All Regions/Countries, Parties of the Basel Convention

UN Region: Africa

Egypt

2007 Egypt restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The national legislation does not ban export of hazardous waste and other waste outside Egypt for final disposal, but follow some restrictions in order to ensure that any exportation (if happened) is regulated within the provisions of the Basel convention and distained only to countries those are parties to the Basel convention and have capabilities to manage the waste in environmentally sound manner.

Countries Export for final disposal take place and distained (if happened) only to countries those are parties to the convention and have enough technical capacity to manage the hazardous waste in environmentally sound manner.

Remarks Until the date of drafting this report there is no official record of any case of exportation of Hazardous waste or other waste out side Egypt for final disposal has been recorded.

Gambia

2007 Gambia is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Madagascar

2007 Madagascar is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Mali

2007 Mali has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Morocco

2007 Morocco restricts the export of hazardous wastes and other wastes for final disposal.

Legislation La loi 28-00 sur la gestion et l'élimination de déchets, régleme dans son chapitre VI les mouvements transfrontières des déchets ainsi toute exportation de déchet dangereux est subordonné selon l'article 44 à une autorisation délivrée par le pays intéressé et elle est prohibée pour les états qui interdisent l'importation de ces déchet. La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle considérée comme une législation nationale. Toute exportation de déchets est contrôlée en respectant le système de contrôle visé par la convention de Bâle (notification, contrat, consentement de l'Etat d'importation).

Countries The export of dangerous wastes and other wastes for final destruction is prohibited to States that have banned the import of those wastes, to States that have not banned their import without their specific written agreement, and to States that are not Parties to the Basel Convention.
Et les Etats qui ne disposent pas de capacités ou d'installations d'élimination des déchets.

Remarks The export of hazardous wastes and other wastes to countries which do not ban the import, and that have given specific written approval, is not banned but submitted to authorization by the Governmental Authority for the Environment. The authorization is granted in accordance with the Basel Convention requirements. However, the law 28-00 on Waste Management and its Disposal entry into inforce, stipulates that the export of hazardous wastes is banned to countries that ban import and to countries that do not ban it in the absence of specific written agreement.

Mozambique

2007 Mozambique has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Nigeria

2007 Nigeria is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation Degree No. 42 of 1988.

Countries Applied for all countries

Remarks Degree No. 42 of 1988

Rwanda

- 2007** Rwanda restricts the export of hazardous wastes and other wastes for final disposal.
- Legislation**
1. Organic Law N° 04/2005, determining the modalities of protection, conservation and promotion of environment in Rwanda. Date of entry into force: 08 April 2005.
 2. Instruction n° 01/04 de l'Office Rwandais de Normalisation relative à la délivrance du certificat de qualité obligatoire des importations : entrée en vigueur 1/12/2004.
 3. Arrêté Ministériel n° 005/04/10/MN fixant les règles de calcul des droits d'entrée (Section VI présente la liste des produits des industries chimiques ou des industries connexes admis à être importés au Rwanda) : entré en vigueur depuis 25/10/2004.

Countries

Remarks

Senegal

2007 Senegal restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Law pertaining to the Environment Code, Art. L39, which entered into force in 2001.

Countries The restriction covers all hazardous wastes and all countries.

Remarks

South Africa

2007 South Africa restricts the export of hazardous wastes and other wastes for final disposal.

Legislation South Africa is a signatory to the Basel Convention. South Africa uses the provisions in the Basel Convention to restrict the export of hazardous waste for disposal in other countries.

In addition the International Trade Administration Act No. 71 of 2003 requires that a permit be issued by the International Trade Administration Commission (ITAC) before any wastes identified in Annex III of the convention can be imported or exported.

Countries South Africa restricts the export of hazardous wastes and other wastes to all non Parties to the Basel Convention and any country which cannot demonstrate that it has the necessary technology to dispose of the waste in an environmentally sound manner which is protective to human health.

Remarks

Tunisia

2007 Tunisia restricts the export of hazardous wastes and other wastes for final disposal.
Legislation By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) as amended and complemented by law n° 2001-14 dated 30 January 2001 which make distinction between hazardous waste management requiring authorization and management of non hazardous wastes requiring ‘Terms and Conditions ‘ document, the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent.

The authorization of export is not attributed unless the following conditions are met:
Due account is taken of international rules and standards in the field of packaging, labelling and transport;

The presentation of a written contract between the exporter and the disposer/person in charge of the recovery;

The presentation of an insurance contract presenting sufficient financial guarantees; and

The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

Countries All countries are covered by this restriction.

Remarks

Uganda

2007 Uganda restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The National Environment Statue, 1995
The National Environment (Waste Management) Regulations, 1999

Countries Restriction to all countries in the world covering all categories of waste.

Remarks No export of hazardous wastes and other wastes is allowed in the country for final disposal without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

Zambia

2007 Zambia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Environmental Protection and Pollution Control Act, 1990, amended in 1999;
The Hazardous Waste Management Regulations, Statutory Instrument No. 125 of 2001.

Countries The restriction covers those countries which have not consented to receive the waste and those that are not under Annex VII, unless a bilateral agreement exists.

Remarks

UN Region: *Asia and Pacific*

Azerbaijan

2007 Azerbaijan restricts the export of hazardous wastes and other wastes for final disposal.
Legislation The export of non-ferrous and black metals was temporarily stopped by president's decree on dated 17.04.2001.
Countries The restriction covers non-ferrous and black metals.
Remarks

Bahrain

2007 Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.
Legislation
Countries
Remarks

Cambodia

2007 Cambodia has no restrictions on the export of hazardous wastes and other wastes for final disposal.
Legislation
Countries
Remarks

China

2007 China restricts the export of hazardous wastes and other wastes for final disposal.
Legislation China:
The relevant legislation complies with the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) .
Countries
Remarks China

The export for final disposal is allowed when there are no adequate disposal facilities in China capable of disposing the waste in an environmental sound manner. While we don't have such restrictions on the export for recovery. The export of hazardous waste for disposal for which there are no adequate disposal facilities in China must comply with the requirements of the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) . The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, to the competent authorities of the states of import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of disposal.

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the export of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste.

Macao Special Administrative Region, China

The export of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

Cyprus

2007 Cyprus restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

Countries

Remarks E.U legislation has been adopted concerning the export of hazardous wastes and other wastes for final disposal.

Indonesia

2007 Indonesia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

To supervise hazardous waste exports, Indonesian Government has issued policies as written in Article 53 GR18/1999 Jo. GR 85/1999 and the Basel Convention, which states that waste exports are allowed as long as the shipment of wastes receives a written permission from the competent authority of the destination country and exporting country. KLH (Ministry of Environment) is Indonesian competent authority.

Other legislations are:

·Minister of Industry and Trade, Letter of Decree No. 228/MPP/KP/07/1997 on Export Regulations

Minister of Industry and Trade, Letter of Decree No. 259/KMK.01/1997 on Export Custom Procedures

Law of the Republic of Indonesia (UU.RI.) No. 23/1997 on Environmental Management (Articles 43 and 49);

Law of the Republic of Indonesia No. 10/1995 on Custom Regulation and
·Governmental Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

Countries

The restriction covers all countries/regions.

Remarks

Iran (Islamic Republic of)

2007 Iran (Islamic Republic of) restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Under terms of Basel Convention ratified in Islamic Republic of Iran Parliament (Majlis), the export of hazardous wastes and other wastes for final disposal will take place if the state of import has the capability of final disposal of the hazardous wastes in an environmentally sound manner.

Countries The restriction covers the Islamic Republic of Iran.

Remarks

Japan

2007 Japan restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Waste Management Law (originally enacted in 1970) was amended and put into force to regulated import and export of waste in 1993.
The Basel Law was entered into force in 1993.

Countries All countries and regions.

Remarks Basel Law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Export of wastes for final disposal (Annex IV A) is prohibited.

Kazakhstan

2007 Kazakhstan restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Ecological code of the Republic of Kazakhstan, 2007.

Countries All countries specified by the Basel Convention.

Remarks According to the Ecological code of the Republic of Kazakhstan export of hazardous wastes to the states - parties of the Basel Convention on the control of transboundary movement of hazardous wastes and their disposal and to developing countries that within the framework of the their legislation have forbidden import of hazardous wastes or if there are bases to believe, that use of these wastes will not be carried out by ecologically proved way, and also to areas south of 60° South latitude. The Code normalizes requirements to disposal operations that do not lead to the possibility of resource recovery, recycling, reclamation, to direct re-use or alternative use of wastes that meets the requirements of the appendix IV A of Manual to the National report.

So, according to norms of the Ecological code places of storage and burial of hazardous wastes are ecologically dangerous objects. Storage of wastes is made in the specially equipped places (platforms, warehouses, storehouses) for the period established for each kind of wastes with a view of the subsequent recycling, processing or a final burial. A place of a burial of wastes is the place of their constant accommodation without intention of withdrawal. Burial of wastes is made on the specially equipped ranges. A places of long-term storage of wastes are places of their constant accommodation with possible subsequent moving and (or) with necessity of constant monitoring their influence on environment. Established ecological requirements for long-term storehouses of wastes are applied as for ranges, thus the technical opportunity for their extraction, transportation, subsequent recycling or a final burial should be provided.

Three kinds of ranges of wastes disposal which should be referred to one of the following classes are stipulated:

- 1) 1 class - range for hazardous wastes disposal;
- 2) 2 class - range for harmless wastes disposal;
- 3) 3 class - range for inert wastes disposal.

Without preliminary processing inert wastes only can be exposed to a burial.

Hazardous wastes should be exposed to neutralization, stabilization and other ways of influence lowering hazardous properties of wastes.

Disposal of hazardous wastes on ranges of harmless and inert wastes is forbidden.

Uncontrollable disposal of wastes on spontaneous dumps is forbidden.

It is forbidden to accept for a burial n ranges the following wastes:

- 1) Liquid wastes;
- 2) Hazardous wastes that in conditions of range are explosive, rusted, oxidized, highly flammable or inflammable;
- 3) Wastes reacted with water;
- 4) Wastes from medical or veterinary establishments which are infected;
- 5) Safe used tyres, except for their application as stabilizing material at recultivation;
- 6) The waste products containing proof organic загрязнители;
- 7) Pesticides;
- 8) Wastes which do not satisfy to criteria of reception.

On the ranges intended for disposal of solid domestic wastes, disposal of the following solid and slimeable industrial wastes is forbidden:

- 1) Wastes of chemical industry of chlorine manufacture:

Graphite slimes of production of synthetic rubber, chlorine, caustic, containing mercury and its compounds ;

methanol, wastes of pexiglass production, containing methanol;

slimes of production of salts of monochloroacetic acid containing hexachlorane, methanol, trichlorobenzene;

paper bags used for transportation DDT, urotropin, cineba, copper trichlorophenolate, triurama-Д;

slimes of production of copper trichlorophenolate, containing trichlorophenol;

used catalysts of manufacture of plastopolymers, containing benzene and dichloroethane;

coagulum and omega polymers containing chlorprene;

wastes of trichlorobenzene, of fertilizers manufacture containing hexachlorane, trichlorobenzene;

2) Wastes of chemical industry on manufacture of chromic compounds:

slimes of manufacture of sodium and sodium chloride monochromes, wastes of manufacture of potassium bichromate, containing six-valent chrome;

3) Wastes of zinc drosses of production of soda containing zinc;

4) Wastes of manufacture of an artificial fibre:

slimes, containing dimethylterephthalate, terephthalic acid, zinc, copper;

wastes from caprolactone filtration, containing caprolactone;

wastes of methanolysis plant, containing methanol;

chrome, solvents, oxidizing oils;

slimes, containing zinc and magnesium;

5) Wastes of a paint and varnish industry:

films of varnishes and enamels, wastes of equipment cleanup, containing zinc, chrome, solvents, oxidizing oils;

slimes, containing zinc and magnesium;

6) Wastes of chemical-photographic industry:

Wastes of manufacture of hyposulphite and waterless sulphite, containing phenol;

Wastes of production of magnetic varnish, collodion, paints, containing butyl acetate, toluene, dichloroethane, anole;

7) Wastes of manufacture of the plastic, containing phenol;

8) Wastes of the nitric industry:

slime (pitches) from coke gas clearing plant and used oils of synthesis and the compressions shop containing cancerogenic substances;

still residue of monoethanolamine distillation, containing monoethanolamine;

9) Wastes of oil refining and petrochemical industry:

aluminum silicate adsorbent from cleanup of oils, the paraffin, containing chrome and cobalt;

Sour tars with the contents of a sulfuric acid over thirty percents;

fuses and fus-pitch rests of coke production and gasification of low-temperature coke, containing phenol;

used catalysts containing chrome;

used clay containing oils;

wastes of filtration process from plants of alkylphenole additives, containing zinc;

10) Wastes of mechanical engineering:

sediment of chrome containing flow, containing chrome;

sediment of cyanic flow containing cyan;

core sand mixtures on organic binding, containing chrome;

sediment after vacuum - filters, neutralization stations of galvanic shops, containing zinc, chrome, nickel, cadmium, lead, copper, chlorophos, thiokol;

11) Wastes of medical industry:

Wastes of manufacture of sintomicine, containing bromine, dichloroethane, methanol;

Wastes of enrichment and slimes, containing salts of heavy metals.

The Ecological code stipulates requirements to points of storage and (or) burial of

radioactive wastes. All projects of storage points and (or) burial of radioactive wastes are subject to the state ecological, sanitary-and-epidemiologic examinations and the examination carried out according to the legislation of the Republic of Kazakhstan about bowels and bowels use. Designing should be carried out according to construction norms and the rules authorized according to the legislation of the Republic of Kazakhstan.

For low -active wastes of uranium and not uranium mining and processing enterprises it can be used earlier traversed mountain excavations with radioactive wastes deposits lower aeration zone and among other rocks with higher sorption-capacitor properties (excluding an opportunity of migrations of radio nuclides outside of point).

For middle active wastes of uranium and not uranium mining and processing enterprises also it can be used traversed mountain excavations with the additional setting of technical barriers from clay, zeolite and other sorption of radionuclide materials.

Natural downturn in a relief can be used for long-term low active solid and liquid radioactive wastes disposal at presence of a natural or artificial substrate from impenetrable breeds or other material.

The burial of liquid wastes is forbidden. Liquid wastes should be dehydrated up to humidity of friable rocks in environment or solidified.

At movement, storage and application of means of plants protection, mineral fertilizers and other preparations used in economic and other activity, creation of new preparations physical and legal persons are obliged to observe rules of movement, storage and application of the specified preparations and to carry out actions to ensure prevention of disease and death of animals. At presence of potentially hazardous chemical and biological substances in mineral fertilizers and other preparations the representatives of the state authorized bodies within the limits of their competence carry out toxicological researches on the basis of that ecological normative on these mineral fertilizers and other preparations are established.

Burial of pyrophor deposits, slimes and a core is forbidden at carrying out nature use operations and with a view of exception of an opportunity of fire or a poisoning of people should be made according to the project and as agreed with the authorized bodies in the field of environment protection, fire safety, with state body of sanitary-and-epidemiologic service and local agencies;

Dumping of wastes of nature use in superficial water objects and bowels, and also dumping in absorbing chinks and wells of used water containing radioactive substances are forbidden.

Within the state reserved zone in northern part of Caspian sea dump of sewage and wastes is forbidden, except for the limited list of the not polluted or cleared sewage, including, waters of systems of cooling both fire fighting and ballast waters, dumping under the sanction of the authorized state bodies in the field of environment protection, use and protection of water fund, and also the state body in the field of sanitary-and-epidemiologic well-being of the population. The temperature of water as a result of dump outside control section line should not raise more than on five degrees, in comparison with monthly average temperature of water during dump for last ten years.

Pumping down wastes of drilling in the bowels are forbidden without preliminary operations on their neutralization and are carried out according to the project, undergone the state ecological examination.

All operations on neutralization and storage of wastes of drilling (slimes and solutions), not involved in a turnover and not pumping down in bowels, should be carried out on special range outside of the state reserved zone in northern part of Caspian sea. The specified operations should ensure completion of construction of

range to the moment of the beginning of drilling operations and to be carried out as agreed with the authorized body in the field of environment protection.
Drilling platform (barge) and serving it vessels should be equipped with plant for sewage clearing and disinfecting or for gathering, storages and the subsequent transfer of sewage on specialized vessels or coastal receiver devices.
For gathering or processing of dust (crushing or pressing) the appropriate devices or plant for burning dust should be provided.

Kuwait

2007 Kuwait has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Malaysia

2007 Malaysia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Environmental Quality Act 1974, (Amendment 2007) Section 34B; and the Customs (Prohibition of Export) Order 2008.

Countries The restriction covers all countries.

Remarks Export of hazardous wastes for final disposal is not allowed.

Pakistan

2007 Pakistan restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

Pakistan Environmental Protection Act - 1997.

Countries All countries.

Remarks According to Section 14 (Handling of Hazardous Substances) of Pakistan Environmental Protection Act - 1997 "subject to the provisions of this Act, no person shall generate, collect, consign, transport, treat, dispose of, store, handle or import any hazardous substance except; (a) under a license issued by the Federal Agency and in such manner as may be prescribed; or (b) in accordance with the provisions of any other law for the time being in force, or of any international treaty, convention, protocol, code, standard, agreement or other instrument to which Pakistan is a party."

Philippines

2007 Philippines restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

Republic Act 6969 - 1992. (Department Administrative Order No. 29 - the implementing rules and regulations of RA6969)

Countries

All countries/regions and all wastes.

Remarks

Qatar

2007 Qatar restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

The Environment Protection Law No.30 of 2002, The Rules on the Transboundary Movement of Hazardous Wastes, 1997, published by the State of Qatar and the relevant protocol under the Kuwait Convention, 1978.

Countries

The restriction covers state of Qatar and the signatories of the protocol of the Kuwait Convention and Basel Convention Parties.

Remarks

Export of hazardous waste and other wastes will be permitted only if the necessary facilities and technical capacity are not available in Qatar to ensure the disposal of the wastes in question in an environmentally sound manner.

Singapore

2007 Singapore restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Hazardous Waste (Control of Export, Import and Transit) Act (HWA) which entered into force on 16 Mar 1998.

Countries All.

Remarks The exporter needs to obtain a Basel export permit from Pollution Control Department prior to the export. In general the export of waste for disposal is not allowed.

Sri Lanka

2007 Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks However, export of hazardous waste is carried out under the provisions provided under the Basel Convention.

Thailand

2007 Thailand restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The production, import, export and possession of the hazardous substances as well as hazardous wastes within the Kingdom of Thailand shall be followed the procedure under the Ministerial Regulations B.E.2537 (1994) issued under the Hazardous Substance Act B.E.2535 (1992) which has entered into force since 1994.

Countries The restriction covers all countries. However, Thailand might export wastes listed in the Basel Convention for which there are no appropriate disposal facilities under the restricted control.

Remarks

United Arab Emirates

2007 United Arab Emirates has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Viet Nam

2007 Viet Nam has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation Law on Environment Protection in 1993 prohibited the export of waste for any purpose but the Law on Environmental Protection in 2005 has repealed this provision.

Countries

Remarks

UN Region: *Western Europe and Others*

Andorra

2007 Andorra has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

Countries

Remarks

Australia

2007 Australia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989 (the Act) : Grant of Basel import permits and Basel export permits.

Subsection 17(1) provides that the Minister must grant a Basel export permit if the Minister is satisfied:

(a) that dealing with the hazardous waste concerned in accordance with the import proposals or export proposals would be consistent with the environmentally sound management of the hazardous waste; and

(b) if the permit sought is a Basel export permit authorising the export of hazardous waste to a particular foreign country: (i) that the competent authority of the country has given written consent to the grant of the permit; and (ii) that the consent was given in accordance with Article 6 of the Basel Convention; and

(ba) if the permit sought is a Basel export permit—that the hazardous waste will be allowed to be transported through any foreign country through which the waste is proposed to be transported; and

© that, having regard to: (i) the applicant's financial viability; and (ii) the applicant's previous record in relation to environmental matters; and (iii) any other relevant matters; the applicant is a suitable person to be granted a Basel permit; and (d) that the applicant has appropriate insurance. (Note: Section 18 specifies circumstances in which the applicant has appropriate insurance).

Subsection 17(2) provides that even if the Minister is satisfied as mentioned in subsection (1), the Minister may decide under subsection (2A), (3), (4) or (5) not to grant the permit. (2A) The Minister may decide not to grant the permit if:

(a) the permit sought is a Basel export permit; and

(b) having regard to the requirements of paragraph 3(b) of Article 6 of the Basel Convention, the Minister thinks that it would not be appropriate to grant the permit.

Subsection 17(3) provides that the Minister may decide not to grant the permit if the Minister thinks that it would not be in the public interest to grant the permit.

Subsection 17(4) provides that the Minister may decide not to grant the permit if the Minister thinks that:

(a) there is another way in which the hazardous waste could be dealt with; and

(b) dealing with the waste in the other way would not pose a significant risk of injury or damage to human beings or the environment; and

© having regard to Australia's international obligations, the waste should be dealt with in the other way rather than in accordance with the import proposals or export proposals.

Subsection 17(5) provides that the Minister may decide not to grant the permit if the permit sought is a Basel export permit and the Minister thinks that:

(a) the hazardous waste could be disposed of safely and efficiently by using a facility in Australia; and

(aa) such a disposal would be consistent with the environmentally sound management of the waste; and

(b) having regard to the desirability of using facilities in Australia for the disposal of hazardous waste, the waste should be disposed of by using that facility rather than in accordance with the export proposals.

Subsection 17(6) provides that the Minister must not grant a Basel export permit or a

Basel import permit if the Minister is satisfied that the grant could result in hazardous waste being brought into Antarctica.

(8) The Minister must not grant a Basel import permit authorising the import of hazardous waste from a foreign country that is not a party to the Basel Convention.

17A Grant of transit permits

(1) This section applies if the permit sought by a permit application is a Basel transit permit.

(2) The Minister must grant the permit sought by a permit application if the Minister is satisfied:

(a) that carrying out the transit proposals will not pose a significant risk of injury or damage to human beings or the environment; and

(b) that, having regard to:

(i) the applicant's financial viability; and

(ii) the applicant's previous record in relation to environmental matters; and

Part 2 Import permits, export permits and transit permits

Division 3 Grant of Basel permits

Section 18

Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following: whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted; whether the waste is needed for research into improving the management of hazardous waste; and whether the waste is needed for testing for the purposes of improving the management of hazardous waste.

The Minister also has discretion to decide not to grant a permit under the Act if there is reason to believe that the hazardous waste could be disposed of safely, efficiently and in an environmentally sound manner at a facility in Australia.

Entry into force: 12 December 1996.

Subsection 17(7) provides that the Minister must not grant a Basel export permit authorising the export of hazardous waste to a foreign country that is not a party to the Basel Convention.

Subsection 17(8) provides that the Minister must not grant a Basel import permit authorising the import of hazardous waste from a foreign country that is not a party to the Basel Convention.

Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the

Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following: whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted; whether the waste is needed for research into improving the management of hazardous waste; and whether the waste is needed for testing for the purposes of improving the management of hazardous waste.

Entry into force: 12 December 1996. Further information including the full text of the Act is available at: <http://www.environment.gov.au/settlements/chemicals/hazardous-waste/guide.html>

Countries The restriction covers all countries and regions and all hazardous wastes.

Remarks

Austria

2007 Austria restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Federal Waste Management Plan 2006, which statutes the principle of self-sufficiency for final disposal. Based on this principle objections are raised in case of exports for final disposal provided there is a suitable disposal option in Austria.. In line with the EU Regulation 1013/2006/EC final disposal is allowed only within the European Economic Area (EEA).

Countries Exports for final disposal are allowed only to member countries of the European Union or the European Free Trade Association. The export can be allowed only if there is no adequate disposal option in Austria.

Remarks

Belgium

2007 Belgium restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Belgium fulfils the Provision of the Council Regulation (EC) N° 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. The export of hazardous waste and other waste for final disposal to non-EU is prohibited, with the exception of EFTA countries. Regulation (EC) N° 1013/2003 entered into force on 12 July 2007.

Countries

Remarks

Canada

2007 Canada restricts the export of hazardous wastes and other wastes for final disposal.

Legislation In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999) (http://www.ec.gc.ca/RegistreLCPE/the_act/default.cfm).

The following legislation applies to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHMR); and PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

National Stakeholders consultations have been completed in the development of regulations on the transboundary movement of non-hazardous wastes for final disposal.

Countries Exports are restricted to Basel Parties or to non-parties which are subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Decision C(2001)107/FINAL). In addition, Canada permits the export of Canadian PCB wastes only to the United States and only for the purpose of destruction.

Remarks Under the Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations (EIHWHMR), Canada defines a hazardous waste or a hazardous recyclable material to include "waste" that is prohibited by a country for import and is considered hazardous under their domestic legislation in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Decision C(2001)107/FINAL).

The EIHWHMR place the following number of strict conditions on the export of hazardous waste and hazardous recyclable materials:

- Exports of hazardous wastes to countries that prohibits the imports or are not party to the Basel Convention or not covered under an Article 11 agreement with Canada are prohibited;
- Requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, (PIC)), the importing country;
- Exports can only take place with a permit issued by Environment Canada;
- Mandatory use of a movement document as a tracking system to ensure that hazardous wastes actually arrive at the intended authorized facilities; and are treated, disposed of or recycled as per the advance notice and permit;
- All disposal operations to be followed up with a certificate of disposal;
- Require every exporter and carrier to obtain insurance to cover environmental damages should an accident occur during the transboundary movement of hazardous wastes; and
- Requirements for shipments which cannot be completed as planned in the permit, to prevent them from becoming "orphans".

If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account different criteria set out in the EIHWHMR.

Denmark

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2007 Denmark restricts the export of hazardous wastes and other wastes for final disposal.
Legislation Paragraph 10 in Statutory Order no. 799 on shipment of waste has a general prohibition on import and export of waste for disposal.
This prohibition is in accordance with EU Shipment Regulation 1013/2006 article 11.1 (a)

Countries

Remarks

Finland

2007 Finland restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. The regulation came into force in Finland on 12 July 2007.

Countries According to the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, all exports of waste for final disposal outside the European Community are prohibited except to those EFTA countries that are also parties to the Basel Convention. The export ban for final disposal covers both hazardous and non-hazardous wastes.

Remarks

Germany

2007 Germany restricts the export of hazardous wastes and other wastes for final disposal.

Legislation In Germany the provisions of the EC Waste Shipment Regulation apply since May 1994, especially referring to Article 14 and 18 (Article 34 of the new Waste Shipment Regulation from 12 July 2007).

Countries The export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

Remarks

Greece

2007 Greece restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Council Regulation EC 259/1993, as amended and implemented, which applied until 11-07-2007. From 12-07-2007, Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, applies.

Countries

Remarks Export only within EU and after the consensus of the importing country's authorities.

Ireland

2007 Ireland restricts the export of hazardous wastes and other wastes for final disposal.

Legislation As a member of the European Community (EC) Ireland is bound by Council Regulation (EC) No. 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. Article 34 prohibits the export of waste for disposal outside the EU except to EFTA (European Free Trade Agreement) States, which are Parties to the Basel Convention (Up to 12/7/07, Article 14 of Council Regulation (EEC) No. 259/93 applied).

Countries

Remarks

Israel

2007 Israel restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Israel prohibits the export of hazardous and other wastes for final disposal according to the Hazardous Substances Regulations (Import and Export of Hazardous Substances Waste), 1994. Exception may be made under strict conditions for certain waste streams that are exported for incineration on land (D10) to facilities where energy recovery is carried out.

Countries The restriction on the export of hazardous wastes for final disposal applies to all countries. When exception is made (as described above), waste is exported only to EC or OECD countries that are parties to the convention.

Remarks

Italy

2007 Italy restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Council Regulation (EEC) No. 259/93 replaced by Council Regulation EC 1013/2006 from 12 July 2007.

Countries The restriction covers all exports of waste for disposal are banned outside the EFTA countries.

Remarks

Luxembourg

2007 Luxembourg restricts the export of hazardous wastes and other wastes for final disposal.

Legislation A special authorization is required by the modified Waste Management law of 17th June 1994 for export of waste to non-EC countries; and prohibition of export of waste to non-OECD countries through waste carrier authorization delivered according to the Waste Management Law.

Countries

Remarks

Malta

2007 Malta restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on the 17 September 2000.

Countries All countries/regions and all waste covered by the above-mentioned regulations are covered by this restriction.

Remarks As per Provision 8 to Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.

Monaco

2007 Monaco has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Due to Custom Agreement with France, transboundary movements of wastes and their final disposal and recovery are controlled by French and European Union policies.

Netherlands

2007 Netherlands restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Until 11 July 2007 the Council Regulation (EEC) No 259/93; entry into force May 6th 1994; restricted the export of hazardous waste and from 12 July 2007 onwards it is Regulation (EC)1013/2006 that gives restrictions to the export of hazardous waste. Furthermore the national policy on waste is given in the Waste policy plan 2002-2012. This plan indicates the export restrictions, if they are in place, for hazardous waste and for final disposal operations.

Countries The restriction covers all countries/regions and all waste.

Remarks In general, the Netherlands objects to the export of hazardous waste when the waste is exported outside the EU and EFTA countries. There will always be an objection to the export when the waste is destined for landfilling.

Norway

2007 There is no information concerning restrictions on the export of hazardous wastes and other wastes for final disposal provided for Norway.

Legislation The Norwegian regulation on waste, chap. 13, implements EU Regulation no. 259/93.

Countries Non-OECD countries.

Remarks

Portugal

2007 Portugal restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Council Regulation (EEC) No 259/93, which entered into force in May 1994 and Regulation (EC) No 1013/2006 of the European Parliament and the Council, which repeals Regulation (EEC) No 259/93 the Council of 1 February, entered into to force in 12 July 2007.

Countries The export of waste (hazardous and non hazardous) for final disposal outside the European Community is prohibited, except those EFTA countries that are also parties of Basel Convention.

Remarks

Spain

2007 Spain restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Article 14 of Council Regulation (EEC) No. 259/93 (entered into force on 09.02.93) which bans all export of wastes intended for final disposal, except for wastes destined to EFTA countries that are also Parties to the Basel Convention.

Notice.- As of 12 July 2007, REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 14 June 2006, ON SHIPMENTS OF WASTE, applies in Spain and Council Regulation 259/93 has been repealed. Article 34 states export prohibition except for EFTA Countries.

Countries The restriction in Article 14 of Council Regulation (EEC) No. 259/93 applies to all countries, except Member States of the European Union, Norway, Switzerland, Iceland and Liechtenstein; and to all wastes.

The restriction in Article 34 of Regulation 1013/2006 covers exportation to all third Countries except for EFTA ones.

Remarks Article 14 of Council Regulation (EEC) No. 259/93 also lays down restrictions, in certain circumstances, on the export of wastes to EFTA countries which are Parties to the Basel Convention.

Sweden

2007 Sweden restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The EU Regulation 1013/2006 on shipments of waste. This Regulation applies from 12 July 2007.

Countries Exports of waste for disposal is prohibited except those to EFTA countries which are also parties to the Basel Convention.

Remarks

Turkey

2007 Turkey restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Turkey restricts the export of hazardous wastes and other wastes for final disposal in accordance with the amendment to the Basel Convention (Decision III/1).

Countries

Remarks

United Kingdom of Great Britain and Northern Ireland

2007 United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Article 34 of the WSR prohibits the export of wastes for disposal, except to other EU and EFTA countries which are part to the Basel Convention. However, the UK prohibits the export of all wastes for disposal as set out in the UK Plan for Shipment of Waste (2007).

Countries

Remarks

UN Region: *Central and Eastern Europe*

Albania

2007 Albania restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Regulation No 4 date 15/10/2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste".
Law no 9537 dated 18.05.2006 "On hazardous waste management".

Countries The restriction covers all countries.

Remarks According the Regulation mentioned above, the natural and juridical persons should apply for Permit for Export of Waste or Permit for Transit of Waste in Ministry of Environment, after they have been fulfilled the requirements which are in compliance with Basel convention. It is crucial the written consent from the competent authority of country of import. This Regulation does not specify the recovery or disposal of waste.

Belarus

2007 Belarus is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation The Waste Law, which entered into force from November, 25th, 2003 in edition of the Law of Republic of Belarus from 18.11.2004 №338-3, which states that " Transboundary Movement of waste to the Republic of Belarus is carried out on the basis of the written permit which are given by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, under the condition of representation by competent governing bodies of that state where such waste are imported, the written permit to their import with the purpose of further use or neutralization in its territory with confirmation of the contract presence fact in which stipulate for ecologically proved use or ecologically safe neutralization of these waste.

Countries

Remarks

Bosnia & Herzegovina

2007 Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Bulgaria

2007 There is no information concerning restrictions on the export of hazardous wastes and other wastes for final disposal provided for Bulgaria.

Legislation Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007.

Countries The export of hazardous wastes or other wastes to other countries for final disposal is prohibited, except to member countries of EU and EFTA.

Remarks The exports of waste for final disposal and shipments to other EU countries requires notification and written consent in accordance with the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007.

Croatia

2007 Croatia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste.

Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51., 53. of the Waste Act, Official Gazette, No. 178/04 as follows:

Article 50

(1) For the export of hazardous waste, the person doing the exporting must obtain the decision prescribed by this Act.

(2) Export referred to in paragraph 1 of this Article shall be permitted to a person registered for carrying out one of the hazardous waste management activities (hereinafter referred to as: the exporter), at the person's request, if the following requirements are met:

1. authorisation for import is granted by the state importing the hazardous waste,
2. the exporter provides a written statement on the type, quantity, composition and origin of hazardous waste, as well as on the reasons for export,
3. a contract is concluded between the exporter and importer of hazardous waste
4. authorisation is issued by the states through which the hazardous waste will transit on its way to the final destination or no written declaration has been issued by the transit state within 60 days from the day of receiving the notification on the intended transboundary transport of hazardous waste,
5. data is provided on the tariff number, hazardous waste key number, the mode of transport, the border crossing for export,
6. a document notifying the intended transboundary transport of waste is enclosed- Document on movement in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,
7. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of the hazardous waste recovery and/or disposal without posing a risk to the environment,
8. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the remediation costs in case of an accident.

Article 51

(1) The Ministry shall decide on the request to export hazardous waste. The decision shall also determine the period for which the decision is valid.

(2) The exporter shall submit a report to the Ministry on the exported quantities and types of hazardous waste by 31 March of the current year, for the previous year.

(3) An appeal shall not be permitted against the decision referred to in paragraph 1 of this Article, but an administrative dispute may be instituted.

Article 53

(1) The person registered for export activity cannot begin to export hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters.

(2) The Ministry shall keep the register referred to in paragraph 1 of this Article.

(3) The exporter of non-hazardous waste shall submit to the Ministry a report on the types and quantities of non-hazardous waste exported in the previous year by 1 February of the current year.

(4) If the Ministry rejects the application for registering into the Register referred to in

paragraph 1 of this Article, it shall do so by decision.

(5) An appeal shall not be permitted against the decision referred to in paragraph 4 of this Article, but an administrative dispute may be instituted.

(6) The Minister shall prescribe by a special regulation the content and method for keeping the Register referred to in paragraph 1 of this Article, content and method for applying for registration into the Register, as well as waste lists.

Countries The restriction covers all countries.

Remarks

Czech Republic

2007 Czech Republic restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

Countries All exports of wastes (both hazardous and non-hazardous) for final disposal are prohibited except those to EU Member countries and EFTA Countries, which are also Parties to the Basel Convention (CH, IS, LI, NO).

Remarks According to the Act on Waste No. 185/2001 Coll. waste generated in the Czech Republic shall be preferentially disposed of in the Czech Republic. According to the Waste Management Plan of the Czech Republic (Government Decree No. 197/2003 Coll.) the export of wastes for the purpose of disposal shall be permitted only if there is not sufficient capacity in the Czech Republic for environmentally sound disposal of the specific kind of waste.

Estonia

2007 Estonia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Georgia

2007 Georgia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Hungary

2007 Hungary restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Regulation (EC) No 1013/2006 of the European Parliament and of the Council on Shipment of Waste.
The regulation entered into force on 15.07.2006

Countries Art. 34. All export of waste from the Community destined for disposal shall be prohibited.

Remarks The regulation shall apply from 12 July 2007.

Latvia

2007 Latvia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Latvia accessed to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community has been replaced by Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste is directly applicable in Latvia since July 13, 2006.

Countries In accordance with provisions of Article 34 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste:

1. All exports of waste from the Community destined for disposal shall be prohibited.
2. The prohibition in paragraph 1 shall not apply to exports of waste destined for disposal in EFTA countries which are also Parties to the Basel Convention.
3. However, exports of waste for disposal to an EFTA country Party to the Basel Convention shall also be prohibited:
 - (a) where the EFTA country prohibits imports of such waste; or
 - (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.
4. This provision shall be without prejudice to the take-back obligations as laid down in Articles 22 and 24.

Remarks

Lithuania

2007 Lithuania restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The export of hazardous waste from Lithuania until 12 July 2007 was regulated by the council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community and from the 12 July 2007 the new Council Regulation (EEC) No 1013/2006 on shipment of waste is directly applied to Lithuania.

The Council Decision 97/640/EC of 22 December 1997 on the approval, on behalf of the Community, of the amendment to the Convention on Control of transboundary movements of hazardous waste and their disposal (Basel Convention), as laid down in Decision III/1 of the Conference of the Parties is directly applied in Lithuania.

Countries

Remarks Any export of hazardous waste for disposal (operations D1-D15) from the Republic of Lithuania to the Third Countries excluding EFTA countries which are also the Basel Convention Parties is prohibited.

All export of non-hazardous and hazardous waste for disposal (operations D1-D15) from the Republic of Lithuania must be notified and are only possible if the notifier has received the written consent of the Ministry of Environment of the Republic of Lithuania, as well as consents of other competent authorities concerned.

Montenegro

2007 Montenegro restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

Countries

Remarks

Poland

2007 Poland restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Until 11.07.2007:
Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

Since 12.07.2007:

Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipment of waste which replaced the Council regulation (EEC) No 259/93 mentioned above.

Countries The restriction covers all countries except for EU and EFTA countries which are also Parties to Basel Convention.

Remarks Until 11.07.2007:

- Shipments within the EU:

Shipments of waste destined for disposal operations between Member States of the EU are subject to notification procedure stipulated in articles 3-5 of Council Regulation No 259/93.

- Export outside the EU:

In general all exports of waste for disposal are prohibited except for those to EFTA countries which are Party to Basel Convention. In case of export of waste for disposal to EFTA countries, notification procedure stipulated in art. 15 should be applied.

Since 12.07.2007:

- Shipments within the EU:

Shipments of waste destined for disposal operations between Member States of the EU are subject to notification procedure stipulated in articles 3 - 11 of the Regulation No 1013/2006.

- Export outside the EU:

In general all exports of waste for disposal are prohibited except for those to EFTA countries which are Party to Basel Convention (art.34). In case of export of waste for disposal to EFTA countries, notification procedure stipulated in art. 35 should be applied.

Republic of Moldova

2007 Republic of Moldova has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Romania

2007 Romania restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Emergency Governmental Ordinance 195/2005 on environmental protection, approved by Law 265/2006.

Countries

Remarks According to art. 32 point 4 of the Emergency Government Ordinance no. 195 / 2005 approved by Law no. 265/2006, the export and transit of hazardous wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

Serbia

2007 Serbia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Serbia restricts the export of hazardous wastes and other wastes for final disposal. The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

Countries The restriction covers all countries.

Remarks

Slovakia

2007 Slovakia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The following shall be forbidden:

Export of wastes destined for final disposal except for export to states that are members of the European Free Trade Association (EFTA) and also are Parties to the Basel Convention (Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 60/1995 Coll. on the Accession of the Slovak Republic to the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal, Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 132/2000 Coll. on the Adoption of Modifications Contained in Annex I and the Adoption of Two New Annexes VIII and IX of the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal) unless an international agreement, by which the Slovak Republic is bound, stipulates otherwise. Objections to the waste export destined for final disposal listed on Amber/Red List may be raised where:

- a) an export of waste is not compliant with the generally binding regulations for environmental protection, public order, public safety or human health protection
- b) an applicant for a transboundary waste shipment or the waste consignee effected illegal transboundary waste shipments in the past (§ 38)
- c) a waste consignment is contradictory to the obligations resulting from international agreements by which the Slovak Republic is bound
- d) an export of waste is not compliant with the objectives of the Waste Management Programme of the Slovak Republic
- e) a principle of self-sufficiency may be applied on the national level
- f) a waste disposal installation must dispose of waste originating in a closer territory and the competent authority of destination has informed about its preference to dispose of that waste.

Since 1st May 2004 the Council Regulation No 259/93/EC is applied to the transboundary movements of wastes. Based on this Regulation Slovakia restricts the export of hazardous and non-hazardous wastes for final disposal. According to the Article 14 of the Council Regulation No 259/93/EC all exports of waste for disposal shall be prohibited, except those to EFTA countries which are Parties of the Basel Convention. The next part of this Article stipulates some cases when export of waste for disposal is banned in the EFTA countries. In general, the export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

Since 12 July 2007 the transboundary movements of wastes have been regulated by the Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. According to the Regulation (EC) No 1013/2006, Article 3 (1) a) shipments of all wastes shall be subject to the procedure of prior written notification and consent if destined for disposal operations. Objections to shipments of waste destined for disposal can be raised in compliance with an Article 11 of the Regulation (EC) No 1013/2006. Article 34 deals with an export prohibition (export of waste for disposal) except to EFTA countries.

Countries

Remarks Annex IV A of the Basel Convention is equal to Annex III of the national Act No. 223/2001 Coll. as amended by subsequent regulations.

Slovenia

2007 Slovenia restricts the export of hazardous wastes and other wastes for final disposal.
Legislation Regulation (EC) 1013/2006., especially art. 34, 39 and 40 . Entry into force: July 2006.
Countries Prohibition of exports of wasted destined for operations set out in Annex IVA of Basel Convention (D-codes) into non-EU/non-EFTA countries.

Remarks

Ukraine

2007 Ukraine has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Export of hazardous wastes is carried out in accordance with the Basel Convention provisions.

UN Region: Latin America and the Caribbean

Argentina

2007 Argentina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Barbados

2007 Barbados has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Belize

2007 Belize is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Bolivia

2007 Bolivia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation Bolivia con relación a las exportaciones de desechos peligrosos se enmarca y trabaja en el marco de las convenciones de Basilea y Rotterdam.

Countries

Remarks

Brazil

2007 Brazil has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks Although there are not restrictions, this practice is not usual due to ethical aspects. Some exportations happen just for recycling and treatment.

Colombia

2007 Colombia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks In addition to rules adopted by the Basel Convention, in those cases when the exporter requires temporary storage of these wastes, he must previously obtain Environmental Licensing for Waste Storage in accordance with the dispositions of Art. 9, num. 9 of National Decree No. 1220 of 2005.

Costa Rica

2007 Costa Rica has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Cuba

2007 Cuba has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Dominican Republic

2007 Dominican Republic restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Ecuador

2007 Ecuador restricts the export of hazardous wastes and other wastes for final disposal.
Legislation Environmental Law Unified Text of Ecuadorian Environmental Ministry, published in the Official Registration No. 2 of March 31, 2003.
Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste"

Countries To national level.

Remarks 1.The exporter has obtained the environmental license given by Ministry of Environment(MAE)
2.The packing, the identification and the transportation are made in accordance with the established law, technical guides and international practices
3.The environmental authority of the import country has approved the import
4.The exporter include the corresponding insurance that covers damages that could cause to the environment or to legal entities and individuals

The Ministry of Environment is the National Environmental Authority in Ecuador.

Guatemala

2007 Guatemala has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Guyana

2007 Guyana is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

Legislation

Environmental Protection Export and Intransit Import of Hazardous Waste Regulations (currently being drafted).

Countries

Remarks

Honduras

2007 Honduras has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Jamaica

2007 Jamaica restricts the export of hazardous wastes and other wastes for final disposal.

Legislation The Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002

Countries An area south of 60o latitude, whether or not the waste is subject to transboundary movement

Remarks

Mexico

2007 Mexico restricts the export of hazardous wastes and other wastes for final disposal.

Legislation

In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes.

The article 85 of the LGPGIR, establishes the follow, “The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings.

Also, in accordance with Article 87 of the LGPGIR: “The authorizations for the export of hazardous wastes will be only emitted when that ask for them count on the previous consent of the import country and, in its case of the governments of the countries by which the wastes journey.

Countries The restriction covers all countries.

Remarks

Panama

2007 Panama restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Luego de la Ratificación del Convenio de Basilea por medio de la Ley 21 de 6 de diciembre de 1990, quedó establecido que toda exportación de Desechos Peligrosos requiere de la autorización del Ministerio de Salud para así cumplir con los requisitos establecidos en el Convenio y su enmienda.

La ley 13 de 21 de abril de 1995, ratifica el acuerdo regional Centroamericano sobre Movimiento Transfronterizo de Desechos Peligrosos, con el fin de prohibir la importación de desechos peligrosos hacia Centroamérica desde Países que no sean parte de este acuerdo

Countries República de Panamá y la Región.

Remarks

Saint Lucia

2007 Saint Lucia restricts the export of hazardous wastes and other wastes for final disposal.

Legislation Specific Marine Pollution legislation to give effect to Decision III/I Legislation being developed.

Countries The restriction covers all countries and regions.

Remarks

Trinidad and Tobago

2007 Trinidad and Tobago has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

There are no legal restrictions on the exportation of hazardous waste.

Uruguay

2007 Uruguay has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Venezuela

2007 Venezuela has no restrictions on the export of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks
